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RUEHUL/AMEMBASSY SEOUL PRIORITY 4925  
RUEHKO/AMEMBASSY TOKYO PRIORITY 1067  
RUEHCHI/AMCONSUL CHIANG MAI PRIORITY 5680  
RHEFDIA/DIA WASHDC PRIORITY  
RUEAIIA/CIA WASHINGTON DC PRIORITY  
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C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 003006

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SUBJECT: THAI LEADERS AND ACTIVISTS CONTEMPLATING POLITICAL

REFORM - "BLUE RIBBON COMMISSION" SOLUTION TO STANDOFF?

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Classified By: DCM James F. Entwistle, reason: 1.4 (b, d)

SUMMARY AND COMMENT

11. (C) Leading figures from the Thai administration and parliament appear to be moving towards considering ways to reform the Thai political system, although it is unclear when and precisely how they might proceed with constitutional amendments. PM Somchai Wongsawat, opposition leader Abhisit Vejjajiva, House Speaker Chai Chidchob, and Senate President Prasopsuk Boondej planned to meet late October 3 to discuss possible procedural, rather than substantive, ways forward. The move comes four days after Somchai's cabinet endorsed the idea of authorizing a constitutional drafting commission to include outside experts in addition to members of the House and Senate, and a week after 24 university rectors proposed an independent review commission to consider constitutional amendments. There is no indication that the People's Alliance for Democracy (PAD)'s evolving proposal for "New Politics," entailing a reduction in the number of directly-elected legislators, will be drawn upon by whatever group is formed to draft constitutional amendments, but the debate about how to improve the Thai political system promises to be lively.

12. (C) Comment: Thais may be growing weary of their government's political ineffectiveness and instability, but the environment remains highly polarized, as a struggle for influence continues between a generally royalist traditional elite and supporters of former Prime Minister Thaksin Shinawatra. Forming a commission to examine reform possibilities offers a possible way out of the political stalemate which has existed since August 26, when the PAD occupied the formal seat of government, Government House. The governing coalition would likely enrage its opponents if it tried to amend the constitution in ways that might be seen as undercutting the prosecution of former Prime Minister Thaksin, who awaits an October 21 verdict in the one corruption case against him which has come to trial. Constitutional reform, widely accepted as needed in some form, though strong disagreements exist about what changes are appropriate, will likely proceed too slowly to spare

political parties from upcoming dissolution proceedings. End  
Summary and Comment.

Have a political problem? Form a commission  
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13. (SBU) Prime Minister Somchai planned to meet with  
Opposition Leader Abhisit, House Speaker Chai (from the  
ruling People's Power Party -- PPP), and Senate President  
Prasopsuk (a former judge who received his Senate seat via  
the "selection" rather than election process, and who has  
opposed the Samak Sundaravej administration in the past) late  
October 3 to discuss constitutional reform, according to  
media reports. Known for his mild personality, Somchai has  
taken a different approach to the beginning of his  
administration than the more combative former PM Samak,  
meeting with Privy Council Chair Prem Titsanulonda October 1  
in a gesture of reconciliation to a perceived powerful  
opponent of Thaksin. Rather than announcing a direct intent  
to try to amend the constitution to protect Thaksin and the  
PPP from court action, Somchai seems to have adopted a more  
indirect and consultative approach. The September 30 cabinet  
meeting endorsed the idea of authorizing a constitutional  
drafting commission to include outside experts in addition to  
MPs and Senators; this came after 24 university rectors  
proposed on September 26 an independent review commission to  
consider constitutional amendments.

14. (C) These talks reflect a desire to address some of the  
elements of the current Thai political system which have made  
it difficult to foresee the formation of a stable and  
effective government, as well as to find a way out of the  
current impasse sparked by the PAD occupation of the  
Government House compound. A key provision at issue is in

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article 237 of the 2007 Constitution, which mandates  
dissolution of any political party if an executive member is  
found to commit or support a violation of the election law.  
This provision has resulted in dissolution proceedings  
against three parties in the current governing coalition,  
including the largest (PPP) and third-largest (Chart Thai)  
parties overall. If these parties are dissolved, all their  
executive board members will lose the right to vote or hold  
political office for a five-year period -- temporarily  
eliminating many influential figures from the political class.

15. (C) Other contentious issues include the 2007  
Constitution's shift from single-member electoral districts  
to multi-member districts, the move from a wholly-elected  
Senate to a partially-elected one, and increased  
parliamentary oversight of foreign policy (Article 190).  
When the 2007 Constitution was drafted (by an assembly  
consisting largely of senior or retired bureaucrats and  
officials from the security forces), many professional  
politicians had complained that the new system was  
unrealistic and represented a step backwards from the system  
in the 1997 Constitution. However, when then-PM Samak, early  
in his term, called for constitutional amendments, opponents  
-- most notably the PAD -- took to the streets in angry  
protests. They believed that Samak aimed simply to undermine  
the prosecution of former Prime Minister Thaksin (by removing  
article 309 of the 2007 Constitution, which deemed legal all  
acts taken under the 2006 interim constitution, with  
implications for the newly-created body that had prepared  
legal cases against Thaksin), and to spare his party from  
dissolution.

"New Politics": Old Ideas in Old Wine Skins?  
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16. (C) The discussions by elected officials follows on the  
heels of ideas generated from outside government, both by the  
"street opposition" of the PAD and by a group of 24  
university rectors seeking to offer a third way out. While  
ardently opposing any government-led effort to initiate

constitutional reform, the PAD has sought to advance its own ideas for radically restructuring the Thai system of governance. Labeling their concept as "New Politics," leading PAD figures first advocated revamping the legislature so that only 30 percent of its members would be directly elected, and 70 percent would be appointed by a selection mechanism. When that proposal failed to garner support, the PAD leaders then embraced an approach that mixes direct and indirect elections via professional/trade organizations (the Hong Kong model), though there are currently two strains of thought. The majority favors a mixed House; a minority, including PAD leader Somkiat, favors a normally elected House and an indirectly elected Senate.

17. (C) Underlying PAD's concept is concern that the 2007 elections, which took place in an environment that Thaksin's allies viewed as highly detrimental, resulted in a strong plurality for the pro-Thaksin party (PPP). Many of Thaksin's opponents complained that this outcome stemmed from a combination of popular ignorance and vote-buying; whatever the cause, most Thais seem to believe that a pro-Thaksin party would again emerge triumphant if elections were to be held in the near future. With their champions unable to prevail in elections, Thaksin's most vehement critics seek ways to prevent Thaksin and his political forces from controlling Thailand's political future, even at the expense of a partial retreat from directly-elected parliamentary bodies.

18. (C) The PAD's "New Politics" concept should be deeply unpopular with professional politicians. The Democrat Party (DP) did not immediately or emphatically denounce it, however, likely because the DP does not want to appear aligned against Thaksin's critics in a political environment that still appears largely characterized by a bitter conflict, in overly simplified terms, between Thaksin and the monarchy. DP deputy leader Korn Jatikavanit, appearing at a

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September 30 panel discussion of "New Politics," said the DP unambiguously endorsed the "one man, one vote" concept as the basis for Thailand's parliamentary system, but was "willing to discuss tinkering around the edges to address perceived shortcomings in Thailand's system of governance and checks and balances." The PPP, meanwhile, appears more concerned with finding a peaceful way to evict the PAD from Government House grounds and sorting out intraparty factional disputes than with rebutting the PAD's proposals with an alternative way forward.

19. (C) The idea of a "blue ribbon" commission, composition still to be determined, may offer a way to defuse political tension and allow Thai politics to resume some forward momentum without directly responding to the PAD's "New Politics" challenge. Suspicions on all sides about intentions will remain, however. DP Spokesman Buranaj Samutarak told us just before the Four Party talks were to begin October 3 that the DP suspected the meeting was intended to take away momentum from the rectors' proposal, and that PPP would revert back to its earlier intent to push amendments to exonerate Thaksin and avoid dissolution.

JOHN